

PLANT PATENT APPLICATION TRANSMITTAL  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Pocket No. : 33947/VGG/R262  
Inventor(s) : Sam McGredy  
Title : GRANDIFLORA ROSE PLANT NAMED 'MACSUPBOW'  
Express Mail Label No. : EL266376375US

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Date: March 2, 1999

1. ☒ Fee Transmittal Form (Submit an original and a duplicate for fee processing)

2. Application Comprised of  
10 pages Specification, claim and Abstract  
2x1 sheet Color drawing(s) (2 copies required of each view - 37 CFR 1.165(b))

Declaration and Power of Attorney

☒ Newly executed (original or copy)  
☐ No executed declaration

3. Also Enclosed are

☐ Plant Color Coding Sheet  
☐ Preliminary Amendment  
☒ An Assignment with the Recordation Cover Sheet and the recordation fee are enclosed  
☒ Small Entity Statement(s)  
☐ 37 CFR 3.73(b) Statement (when there is an assignee)  
☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of citations  
☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
☐ English Translation Document (if applicable)  
☒ Return Receipt Postcard (MPEP 503) (should be specifically itemized)  
☐ Other

4. CORRESPONDENCE ADDRESS

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Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Vincent G. Gioia  
Vincent G. Gioia  
Reg. No. 19,959  
626/795-9900

VGG/bje

Docket No. : 33947/VGG/R262

CHRISTIE, PARKER & HALE, LLP

Post Office Box 7068

Applicant or Patentee : Sam McGredy

Pasadena, CA 91109-7068

Application or Patent No. : to be assigned

(626) 795-9900

Filed or Issued : Herewith

Entitled : GRANDIFLORA ROSE PLANT NAMED 'MACSUPBOW'

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37) CFR 1.9(f) & 1.27(c) – SMALL BUSINESS CONCERN**

I hereby declare that I am

\_\_\_\_\_ the owner of the small business concern identified below:

X  an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN : Edmunds' Roses

ADDRESS OF SMALL BUSINESS CONCERN: 6235 SW Kale Road, Wilsonville, Oregon 97070

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for the purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **GRANDIFLORA ROSE PLANT NAMED 'MACSUPBOW'** by inventor(s) **Sam McGredy** described in

X  the specification filed herewith

\_\_\_\_\_ Application No. \_\_\_ filed \_\_\_

\_\_\_\_\_ Patent No. \_\_\_ issued \_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME :

ADDRESS :

\_\_\_\_\_ INDIVIDUAL \_\_\_\_\_ SMALL BUSINESS CONCERN \_\_\_\_\_ NONPROFIT ORGANIZATION

NAME :

ADDRESS :

\_\_\_\_\_ INDIVIDUAL \_\_\_\_\_ SMALL BUSINESS CONCERN \_\_\_\_\_ NONPROFIT ORGANIZATION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37) CFR 1.9(f) & 1.27(c) - SMALL BUSINESS CONCERN**

**Docket No.: 33947/VGG/R262**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING : PHILIP D.K. EDMUNDS  
TITLE OF PERSON IF OTHER THAN OWNER : PRESIDENT  
ADDRESS OF PERSON SIGNING : 6235 S.W. KAHLE RD. WILSONVILLE, OR 97070

SIGNATURE Philip D.K. Edmunds DATE 2/7/99

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GRANDIFLORA ROSE PLANT NAMED 'MACSUPBOW'

5 BACKGROUND OF THE INVENTION

This invention relates to a new and distinct variety of Grandiflora Rose. The varietal denomination of the new variety is 'Macsupbow'. It has as its seed parent the variety known as 'Kortember' and as its pollen parent the variety known as  
10 'Arolaquali'.

SUMMARY OF THE INVENTION

Among the features which distinguish the new variety from other presently available and known commercial rose cultivars are  
15 the following combination of characteristics: its attractive lavender pink color, its strong petal substance, its deep green, close set foliage. 'Macsupbow' may be asexually propagated by cuttings, budding, grafting, layering or tissue culture.

20 The new variety displays flowers of pure, pale, silvery lavender color. The high centered nicely spiraled blooms are borne in considerable profusion and coupled with an intense fragrance, make it a good garden subject as well as a source of fragrant, nearly thornless cut blooms for the house.

25 The plant itself is bushy and free branching. Although not as tall as some grandifloras, its bloom size coupled with large basal candelabras in late summer and fall place it well within the confines of the grandiflora class.

Asexual reproduction of the new variety by budding as  
30 performed in Kern County, California, and Clackamas County, Oregon shows that the foregoing and other distinguishing characteristics come true to form and are established and transmitted through succeeding propagations.

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#### COMPARISON WITH PARENTS

5 The new rose may be distinguished from its seed parent, 'Kortember' by the following combination of characteristics: 'Macsupbow' is a light lavender pink grandiflora with large flowers while 'Kortember' is a deep salmon (orange-pink) flowered hybrid tea.

10 The new variety may be distinguished from its pollen parent, 'Lagerfeld', ('Arolaqueli') by the following combination of characteristics: 'Lagerfeld', is deeper in color, has more petals, (30); and tends to be a taller plant clothed in non-lustrous matte green foliage.

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BRIEF DESCRIPTION OF ILLUSTRATION

5 The accompanying photograph illustrates specimens of the  
new variety and shows the flowering thereof from bud to full  
bloom depicted in color as nearly correct as it is possible to  
make in a color illustration of the character. Throughout  
this specification, color values are based upon the Colour  
Chart of the Royal Horticultural Society of London, England,  
10 except where common terms of color definition are employed.

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#### DESCRIPTION OF THE NEW VARIETY

5 The following description is of rose plants of the new cultivar grown outdoors in Wilsonville, Oregon in the month of September. Phenotypic expression may vary with environmental, cultural and climatic conditions, as well as differences in conditions of light and soil.

#### 10 FLOWER

The new variety bears its flowers sometimes singly, usually in clusters of three to five or more per stem. Flowers are borne in irregular flat clusters on strong long stems (about 40 to about 60 cms). Outdoors, the plant blooms  
15 freely and continuously during the growing season. The flowers have a strong penetrating tea to apple, spicy fragrance.

#### BUD

20 The peduncle is of average to long length for the class (about 10 to about 12 cms.), of average to heavy caliper, and usually erect. It is almost entirely smooth, with very few stipitate glands, and very few hair and prickles. Peduncle color is between 146B and 146C.

25 Before the calyx breaks, the bud is of medium size for the class (about 2.4 to about 2.6 cms. in diameter at the widest point), moderately short to medium in length (about 2.8 to about 3.2 cms.), and pointed in shape with a conspicuous neck. The surface of the bud bears few foliaceous appendages  
30 and stipitate glands and glandular bloom usually without foliaceous parts extending beyond the tip of the bud. Bud color is between 146C and 148C.

The inner surface of the sepals is covered and edged with very fine wooly tomentum; sepal margins are lined with some  
35 stipitate glands and hairs.

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As the petals open (after the calyx breaks), the bud is medium for the class about 4 to about 4.5 cms. in diameter at the widest point, about 5.5 to about 6.5 cms. in length, and pointed in form. The color of the under surfaces of the newly opened petals is between 65B and 65C. The color of the upper surfaces of the newly opened petals is between 69D and 65D. The bud opens up well and is generally not retarded from opening by wet, cold weather.

#### BLOOM

When fully open, the bloom ranges from about 12 to about 14 cms. in diameter. Petallage is double with about 20 to 24 petals and 5 to 20 petaloids arranged regularly. When partially open, the bloom form is moderately high centered, and the petals are somewhat loosely spiraled with petal edges rolled outward. When fully open, the bloom form is somewhat flat to cupped, and the petals are loosely imbricated with petal edges rolled outward.

#### PETALS

The substance of the petals is moderately crisp and thin to medium thickness, with upper surfaces moderately satiny and under surfaces slightly shiny. The outer petals are round to deltoid in shape with apices rounded to flat. The inner petals are broadly round in shape with apices somewhat rounded to flat.

#### 30 NEWLY OPENED FLOWER

The under and upper surface of the outer petals is near 69D.

The under and upper surface of the intermediate petals is near 65D.

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The under and upper surface of the inner petals is near 65D.

5 The general tonality of the newly opened flower is near 65D.

#### THREE DAY OLD FLOWER

10 The under and upper surface of the outer petals is near 69D.

The under and upper surface of the inner petals is near 69D.

The general tonality of the three day old flower is near 69D. Stamens generally are visible on fully opened blooms.

15 On the spent bloom, the petals usually drop off cleanly, fading to near 69D, and are affected by cold, wet, weather exhibiting rainspotting and reddish discoloration.

In September in Wilsonville, OR, blooms on the bush growing outdoors generally last two to three days. Cut roses from plants grown outdoors and kept at normal indoor living 20 temperatures generally last two to three days.

#### MALE REPRODUCTIVE ORGANS

25 Stamens are few to average and are arranged irregularly about the pistils. The filaments are somewhat long length, few without anthers. Filaments are near 16B in color. The anthers are somewhat small for the class and all open approximately at the same time. Anther color is between 16B and 16C when immature and between 16A and 16B at maturity. 30 Pollen is somewhat sparse and near 16A in color.

#### FEMALE REPRODUCTIVE ORGANS

Pistils vary in number (approximately 75-100). The styles are moderately even, average in length, moderately 35 thin to average in caliper, and loosely bunched. Stigma color

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is between 11B and 11C. Style color is near 11D. Ovaries are usually enclosed in the calyx, although some may protrude from the calyx at the outer edge.

No hips have been observed on this variety when grown in Wilsonville, OR.

#### FOLIAGE

10 The compound leaves are usually comprised of three to five leaflets and are borne abundantly. The leaves are about 18 to about 20 cms. in length and about 15 to about 18 cms. in width at the widest point, very leathery in texture, and semi-glossy to matte in finish. The leaflets are about 8 cms. in length and about 5 to about 6 cms. in width at the widest point, shaped oblong moderately acute apices and somewhat round bases. Their margins are usually simply serrate.

The upper surface of the mature leaf is between 137A and 139A. The under surface of the mature leaf is between 136C and 137D. The upper and under surface of the young leaf is near 144A, sometimes heavily suffused with between 59A and 59B. The under surface of the young leaf is between 153B and 153C, sometimes heavily suffused with between 59D and 60D.

The rachis is average to heavy in caliper and moderately smooth. The upper side is deeply grooved with few hairs and prickles on the edges of the grooves. The under side of the rachis is very moderately smooth with few hairs and very small prickles.

The stipules are about 1.5 to about 1.7 cms. in length with somewhat narrow to medium width to long straight points that usually turn out at an angle of more than 45 degrees.

The plant displays an above average degree of resistance to powdery mildew and blackspot and rust as compared to other commercial varieties grown under comparable conditions in Wilsonville, OR.

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#### GROWTH

5 The plant has a bushy upright medium to tall growth habit  
(about 150 to about 200 cms. in height and about 75 to about  
100 cms. spread at the widest point), with moderately full  
branching. It displays somewhat vigorous growth and the canes  
are of medium to heavy caliper for the class.

The color of the major stems is between 137D and 138A.  
10 They bear few large prickles that are about 0.4 to about 0.6  
cms in length. The large prickles are hooked slightly  
downward with a somewhat short to medium length and a long  
narrow base; prickle color is between 165B and 165C. The  
major stem bears no small prickles. There are no hairs.

15 The color of the branches is between 137B and 138A. They  
bear few large prickles that are of similar size and shape to  
the large prickles on the major stems; prickle color is  
between 163C and 163D. The branches bear no small prickles.  
There are no hairs.

20 The color of the new shoots is between 144A and 144B  
often heavily suffused with between 59D and 60D. They bear  
few large prickles that are of similar size and shape to the  
large prickles on the major stems; prickle color is between  
59C and 60C. The shoots bear no small prickles. There are no  
25 hairs.

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I CLAIM:

5 A new and distinct Grandiflora rose plant of the variety  
substantially as described and illustrated herein.

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GRANDIFLORA ROSE PLANT NAMED 'MACSUPBOW'

5 ABSTRACT

A new variety of Grandiflora rose suitable for garden decoration, having flowers of a pale, silvery lavender coloration.

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**DECLARATION AND POWER OF ATTORNEY  
FOR PLANT PATENT APPLICATIONS**

PATENT

Docket No. : 33947/VGG/R262

Attorney : Vincent G. Gioia

As a below named inventor, I hereby declare that:

My residence address and citizenship are as stated next to my name. I believe I am the original, first and sole inventor (if only one name is listed below), or a joint inventor (if plural names are listed below) of the new and distinct plant variety which is claimed and for which a patent is sought on the invention entitled GRANDIFLORA ROSE PLANT NAMED 'MACSUPBOW', the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified application, including the specification, and claims.

I state that I have invented, or discovered in a cultivated area, and/or asexually reproduced the new and distinct plant variety.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

\_\_\_\_\_ I claim foreign priority benefits under 35 U.S.C. § 119 of the foreign application(s) for patent, breeder's rights or inventor's certificate listed below.

\_\_\_\_\_ I have also identified below any foreign application for patent, breeder's rights or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
Number	Country	Day/Month/Year	Yes	No
Number	Country	Day/Month/Year	Yes	No
Number	Country	Day/Month/Year	Yes	No

I appoint the following attorneys and agents of the law firm Christie, Parker & Hale, LLP to prosecute this application and to transact all business in the Patent Office connected therewith:

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The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

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**Vincent G. Gioia**  
**626/795-9900; 213/681-1800**

I, as the below named inventor, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with

**DECLARATION AND POWER OF ATTORNEY  
FOR PLANT PATENT APPLICATIONS**

**Docket No. : 33962/VGG/R262**

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the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the applications or any patent issued thereon.

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Citizenship: New Zealand

Inventor's Signature: 

Date: 02/07/99

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Date: \_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Residence Address: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full Name of Sixth Inventor: \_\_\_\_\_

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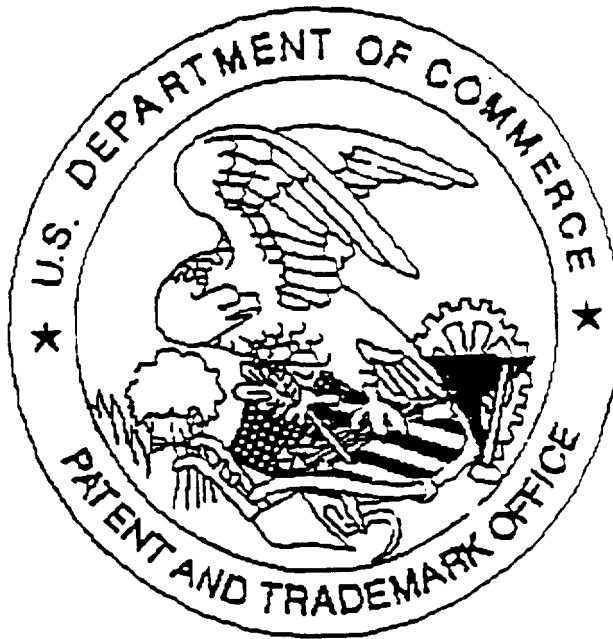
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Date: \_\_\_\_\_



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